

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
SOUTHERN DIVISION

ANGELA LEE,

Plaintiff,

VS.

UNITED SERVICES AUTOMOBILE
ASSOCIATION,

Defendant.

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CASE NO.: 1:06cv521-VPM

AFFIDAVIT OF RON VESTAL

Before me, the undersigned authority, personally appeared Ron Vestal, who being first duly sworn did depose and say as follows:

1. My name is Ron Vestal. I am over the age of 19 years and have been employed as a Litigation and Claims Advisor for United Services Automobile Association ("USAA") at all times relevant to this dispute. Through my position as Litigation and Claims Advisor, I have personal knowledge of the facts and matters set forth in this affidavit. Further, I know that this affidavit will be used in support of a Motion to Dismiss the above case for lack of subject matter jurisdiction.

2. Plaintiff Angela Lee filed suit against USAA in the United States District Court for the Middle District of Alabama, Southern Division, seeking underinsured motorist benefits.

3. Plaintiff's complaint appears to allege that this Court has subject matter jurisdiction based on diversity of citizenship. In support of that allegation, Plaintiff contends that USAA is a foreign corporation doing business in the State of Alabama.

4. USAA is not a foreign corporation. Rather, it is a reciprocal insurance exchange organized under the insurance laws of the State of Texas. As a reciprocal insurance exchange, USAA conducts business on behalf of its members as an unincorporated association. USAA insures only servicemen, ex-servicemen and their families who reside in all 50 states. In fact, a substantial number of USAA's members are citizens of the State of Alabama.



Ron Vestal

STATE OF Florida)
COUNTY OF Hillsborough

I, the undersigned authority, a Notary Public in and for said County in said State, hereby certify that *Ron Vestal*, whose name is signed to the foregoing *Affidavit*, and who is known to me, acknowledged before me on this day, that, being informed of the contents of this affidavit, he executed the same voluntarily on the date the same bears date.

Given under my hand and official seal this 6 day of July, 2006.



Notary Public
My Commission Expires: 2-14-07



Buffy Jo Atkinson
MY COMMISSION # DD167953 EXPIRES
February 14, 2007
BONDED THRU TROY FAIR INSURANCE, INC